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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/719,147	02/27/2001	Guillaume Bichot	PF980034	5725

24498 7590 08/12/2005
THOMSON LICENSING INC.
PATENT OPERATIONS
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EXAMINER

BAROT, BHARAT

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/719,147	Applicant(s) BICHOT ET AL.	
	Examiner Bharat N. Barot	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 11-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-8 and 11-13 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>05/18/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

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RESPONSE TO AMENDMENT

1. Original claims 1-8 and 11; and new claims 12-13 remain for further examination.

The old rejection maintained

2. Applicant's arguments and amendment with respect to claims 1-8 and 11 filed on May 18, 2005 have been fully considered but they are not deemed to be persuasive for the claims 1-8 and 11. The rejection is respectfully maintained as set forth in the last Office Action mailed on December 14, 2004.

Claim Rejections - 35 USC § 103(a)

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-8 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goertzel et al (U.S. Patent No. 6,208,952).
5. Goertzel teaches the invention substantially as claimed including a method and system for delayed registration of protocols (see abstract).

6. As to claim 1, Goertzel teaches a Communication method in a home network comprising at least two devices connected to a communication bus, wherein, a first device including an internet application and a second device including means for connecting to the network the method comprises the steps of: receiving, by the second device, a request from the first device for opening a connection between the first device and the second device, wherein the request contains a network application protocol identifier, corresponding to a protocol chosen among a plurality of protocols supported by the second device, to identify a network application protocol to be used over the connection for exchanging information between the first device and the second device (figures 1-5; column 4 lines 35-67; and column 5 lines 1-20, Goertzel discloses that when the client computer needs to communicate with the server, a request is sent to the server process 270 which includes the list of supported protocols and the network application used for communication); receiving, by the second device, a network protocol request under the format of the network application protocol from the first device (column 5 lines 1-20, Goertzel discloses that the client sends a request to the server process 270); forwarding the internet protocol request from the second device to a network server (column 5 lines 1-30, Goertzel discloses that the request is forwarded to the server process through the communication process); upon receipt, transferring a response from the network server to the first device through the second device over the communication bus (column 5 lines 1-67, Goertzel discloses that the communication response is forwarded from the communication process which originated from the server process).

Goertzel fails to teach the claimed limitation of an Internet server. Goertzel does teach that the server handles TCP/IP communication protocol (column 4 lines 35-59).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Goertzel by specifying the network serve as an Internet server since the same functionality of communicating using TCP/IP protocol is achieved.

7. As to claim 2, Goertzel teaches that the request by the first device includes a message buffer size allocated to message reception by the first device for the connection on the home network (columns 6-9).

8. As to claim 3, Goertzel teaches that a response by the second device to the request for opening a connection includes the message buffer size allocated to the connection on the home network by the second device (columns 6-9).

9. As to claim 4, Goertzel teaches that on the home network the sending device splits data to be sent to receiving device into messages of a size which is smaller than the size of the message buffer of the receiving device (columns 6-9).

10. As to claim 5, Goertzel teaches the step of sending, by the second device a list of network application protocols supported by the second device upon request from the first device (column 5 lines 1-20).

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11. As to claim 6, Goertzel teaches the step of receiving by the second device from the first device, an address of a function of the first device, the second device sending network responses to the first device as parameters of a call of the function (columns 5-6).

12. As to claim 7, Goertzel teaches that the second device attributes a connection identifier to a connection requested by the first device, the connection identifier being sent from the first device to the second device as acknowledgment of receipt for the request for opening the connection (columns 5-7).

13. As to claim 8, Goertzel teaches that the first and second devices systematically use the connection identifier as parameter for function calls by the first device to the second device or vice-versa (columns 5-9).

14. Claims 11-13 do not teach or define any new limitations beside above claims 1-8; therefore, the claims 11-13 are also rejected for the same reasons set forth to rejecting claims 1-8 above.

Response to Arguments

15. Applicant's arguments with respect to claims 1-8 and 11 filed on May 18, 2005 have been fully considered but they are not deemed to be persuasive for the claims 1-8 and 11.

16. In the remarks, the applicant argues that:

(A) Argument: Goertzel fails to teach or suggest the limitations of claims 1.

Response: Goertzel teaches or suggests the claimed limitations of claims 1 as follow: a request contains a network application protocol identifier, corresponding to a protocol chosen among a plurality of protocols supported by the second device, to identify a network application protocol to be used over the connection for exchanging information between the first device and the second device/ an Internet server (figures 1-5; column 4 lines 35-67; and column 5 lines 1-20, Goertzel discloses that when the client computer needs to communicate with the server, a request is sent to the server process 270 which includes the list of supported protocols and the network application used for communication); and upon receipt, transferring a response from the network server to the first device through the second device over the communication bus (column 5 lines 1-67, Goertzel discloses that the communication response is forwarded from the communication process which originated from the server process).

(B) Argument: Goertzel fails to teach or suggest a protocol that is supported by the second device (The proxy) since the second device receives requests according to that protocol from the first device (the client), and forwards the responses from the Internet server.

Response: Goertzel teaches or suggests a protocol that is supported by the second device (RPC component) since the second device receives requests according to that protocol from the first device (the client), and forwards the responses from the Internet server (network server) (figures 3s; and column 5 line 21 to column 6 line 24).

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Patent Examiner Bharat Barot

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July 27, 2005

Bharat Barot
**BHARAT BAROT
PRIMARY EXAMINER**